

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
APRIL 21, 2016, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Jimmie Hughes
Councilmember Joe Bowcutt
Councilmember Bette Arial
Councilmember Ed Baca
City Attorney Shawn Guzman
Support Services Director Marc Mortensen
City Recorder Christina Fernandez**

EXCUSED:

**Councilmember Michele Randall
City Manager Gary Esplin**

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Conner McFadden and the invocation was offered by Reverend Alex Wilkie.

Mayor Pike invited the St. George Exchange Club to address the Council.

Members of the St. George Exchange Club presented a check for \$8,000 for the All Abilities Park Hands That Built the Park project. They challenged other businesses and organizations to donate, and stated that they will match up to \$15,000.

Parks Manager Larry Shane mentioned Arbor Day activities that will take place Saturday, April 30, 2016. Additionally, he mentioned this is the 24th year the City received the Tree City USA award.

Mayor Pike read proclamations proclaiming April 30, 2016 as Arbor Day and the month of May as Bike Month.

Support Services Director Marc Mortensen mentioned that an active transportation plan will be presented in June. Additionally, he mentioned Bike Month events that will take place during the month of May.

Mayor Pike introduced the Miss St. George royalty.

Mayor Pike mentioned that the Joshua's project public hearing will not be heard tonight. Although it is not the City's task, staff will look to see that proper notifications are sent as this was the case with this item.

FINANCIAL REPORT:

Consider approval of the financial report for March, 2016.

Support Services Marc Mortensen stated that the City is three quarters the way through the fiscal year. Revenues continue to outpace expenditures.

MOTION: A motion was made by Councilmember Arial to accept the March financial report.

SECOND: The motion was seconded by Councilmember Baca.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

CHANGE ORDER:

Consider award of a change order to the Wastewater Treatment Plant SCADA upgrade professional services agreement.

Purchasing Manager Connie Hood advised the agreement is a change order for the SCADA upgrade professional services agreement for the Wastewater Treatment Plant in the amount of \$68,000.

MOTION: A motion was made by Councilmember Hughes to approve the bid for \$68,000 for the change order to Automation and Controls.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

COST SHARING AND REMBURSEMENT AGREEMENT:

Consider approval of a cost share and reimbursement agreement for the Foremaster Ridge pump station.

Purchasing Manager Connie Hood advised this is a cost share and reimbursement agreement for the Foremaster Ridge pump station. She explained that the City pays a quarter of the cost for the pump station which is \$121,916.

MOTION: A motion was made by Councilmember Hughes to approve the bid for \$121,916 for the City's portion of the cost share for the booster pump.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

REIMBURSEMENT AGREEMENT:

Consider approval of a reimbursement agreement with the Washington County Flood Control Authority for the Dixie Center Erosion Protection contract.

Purchasing Manager Connie Hood stated this reimbursement agreement is with the Washington County Flood Control Authority in the amount is \$127,433. This agreement is for work performed along the Virgin River adjacent to Confluence Park, St. James Park and the Millcreek Generation facility.

Councilmember Hughes commented this is work already completed. The Flood Control Authority is comprised of representatives from cities affected by the two rivers in the County. They review projects that need to be taken care of; this money was appropriated and the project was awarded. Some of the funds used came from a grant.

MOTION: A motion was made by Councilmember Baca to approve the reimbursement agreement with the Washington County Flood Control Authority in the amount of \$127,433.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

REIMBURSEMENT AGREEMENT:

Consider approval of a reimbursement agreement with the Washington County Flood Control Authority for the Upstream Man-O-War Bridge Restoration Project.

Purchasing Manager Connie Hood advised this is the reimbursement agreement with the Washington County Flood Control Authority for the work upstream of the Man-O-War bridge; the amount is \$35,291 for the design and environmental permitting.

MOTION: A motion was made by Councilmember Arial to approve the reimbursement agreement in the amount of \$35,291 for the Washington County Flood Control Authority for the upstream Man-O-War Bridge.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

PROFESSIONAL SERVICES AGREEMENT:

Consider approval of a professional services agreement with Bowen Collins & Associates for the Virgin River Stream Restoration Project.

Purchasing Manager Connie Hood explained this is a professional services agreement with Bowen Collins & Associates for the Virgin River stream restoration project in the amount of \$35,291.

MOTION: A motion was made by Councilmember Hughes to approve the professional services agreement with Bowen Collins & Associates for \$35,291.

SECOND: The motion was seconded by Councilmember Baca.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for transformers from 10 kVA – 100 kVA in size.

Purchasing Manager Connie Hood stated this bid is for transformers for the Energy Services Department. Originally Codale was the low bidder; however, they did not meet the specifications for the stainless steel bases. Anixter HD Supply is the next low bidder in the amount of \$66,620.

Support Services Director added that total of 30 transformers will be purchased.

MOTION: A motion was made by Councilmember Arial to award the bid for transformers to Anixter HD Supply in the amount of \$66,260.

SECOND: The motion was seconded by Councilmember Baca.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for active shooter defense kits for the Police Department.

Purchasing Manager Connie Hood stated that the low bidder was Bob Barker in the amount of \$70,319.70. She mentioned what gear is included in the kits and that 90 kits will be purchased.

Police Chief Stratton explained this will provide equipment for every sworn officer. The gear has a 5-7 year life span.

MOTION: A motion was made by Councilmember Baca to approve the purchase of the body armor kits as mentioned to Bob Barker in the amount of \$70,319.70.

SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a Vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for custom equipment for the Fleet facility.

Purchasing Manager Connie Hood explained this item is the equipment for the new fleet facility. Under CRSA management, award will be to Automotive Equipment of Nevada in the amount of \$352,689.10.

Support Services Marc Mortensen stated what equipment that will be purchased.

MOTION: A motion was made by Councilmember Hughes to award the bid for the custom equipment for the Fleet facility in the amount of \$352,689.10 to Automotive Equipment of Nevada.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for the Little Valley Complex Phase 5 Sports Field.

Purchasing Manager Connie Hood advised that Kokopelli Landscaping was originally the low bidder; however, they withdrew their bid because they were not qualified. The next low bid was from B Hansen Construction. Their original bid did not meet the budget; therefore, it is proposed to go with the additive alternative for the sand. The bid amount is \$1,998,071.18.

City Attorney Shawn Guzman clarified that Kokopelli did not have the correct license to construct the restroom facility. He stated that they are a great company and expressed his gratitude to Wade Hughes, the owner of Kokopelli Landscaping.

MOTION: A motion was made by Councilmember Hughes to award the bid for the Little Valley Complex Phase 5 sports field to B Hansen Construction in the amount of \$1,998,071.18.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider a zone change request to rezone approximately 10.43 acres generally located on the east side of Pioneer Road at the

intersection of Sugar Leo Road and Pioneer Road from Open Space to Planned Development Commercial. Denis Lyman, applicant.

Planner Ray Snyder presented the request for a zone change on property located at Pioneer Road and Sugar Leo Road. He presented a PowerPoint presentation covering the following: summary of request; aerial map; general plan map; zoning map; conceptual site plan; and landscaping plan.

Mayor Pike asked if the Redwood Ash trees could be revisited as he remembers there being issues with them on other projects.

Mr. Snyder stated that staff could ask Parks staff or the Shade Tree Board for recommendations. He mentioned the materials board and showed a detailed map of the proposal; detention pond; grading plan; photos of the area; existing Monster Storage facility; security wall; metal fence; site photos; details on Pioneer Road; drainage; and additional photos of the area. The Planning Commission recommended approval with the following conditions and comments:

1. Approve the zone change from OS to PD-C on 10.43 acres.
2. Approve only one use – RV Storage.
3. The conceptual layout as presented is approved.
4. The canopies height, materials and colors (roof) are approved as presented
5. The 6' high CMU security wall with bands of textured block material and color band is approved as presented.
6. The 6' high security corrugated colored metal fence is approved as presented
7. The 14' wide and 10' wide trail locations are approved as presented. The applicant shall work with the Parks Department for design and materials to be installed. One half of the future north trail (7') shall be deeded to the City.
8. The applicant shall design and install to the satisfaction of the Public Works Department the improvements along the project's frontage on Pioneer Road (asphalt structural section, curb, gutter and 6' sidewalk).
9. Minimum setbacks shall be provided (staff to confirm during the SPR process).
10. The applicant shall pave, as required, all surfaces for driveways and RV parking.
11. The applicant shall provide adequate stacking distance to the satisfaction of the Public Works Department to prevent traffic conflicts on Pioneer Road.
12. The applicant shall provide access at the intersection of Las Colinas and Pioneer Road as presented on the site plan.
13. The 25' landscaping along Pioneer Road including approved street trees at 30' spacing and the trees along the freeway at 30' spacing are approved as presented.
14. Provide a photometric plan with SPR and demonstrate that lighting will not exceed 1' candle at property line and not exceed 15' candle on site. Dark sky style lighting fixtures will be used to avoid a nuisance as seen from the freeway and to the adjacent residential neighborhoods.
15. The project shall be designed to the satisfaction of the Public Works Department to safely convey storm water through the site.
16. The project shall be designed to the satisfaction of the Public Works Department to safely convey pass thru drainage water from offsite and for any on site detention overflow. The channel design shall be to the satisfaction of the Community Development Department and may include aesthetically pleasing design

- incorporating approved alternatives to standard gray concrete and may be either colored and/or stamped concrete, gabions or incorporate additional landscaping.
17. The applicant shall obtain an approved grading permit from the Community Development Department.
 18. Upon approval of the zone change, the applicant shall submit an application for a site plan review along with the required civil engineering plan set which may include but not be limited to: cover sheet, site plan, grading plan, erosion control plan, utility plan, landscape plan, irrigation plan and photometric plan.

Mr. Snyder mentioned and read two letters received in opposition. He stated that the project will be visible from the freeway.

Councilmember Baca voiced his concern that putting the metal wall along the freeway is a bit of a drawback. The detention pond will hold water and will be close to the power line pole, he would like to make sure the pole has sufficient clearance – that it will be safe and secure.

Councilmember Hughes mentioned that the Council discussed these issues in the past. He does not want anyone to forget the concerns of the neighbors at that time.

Reid Pope, representative for the applicant, stated the fence along the rear will be easier to construct with metal versus a block wall around the entire facility. Although he believes a fence may not be needed along the freeway, the owner would like the fence for security reasons. He addressed sound concerns regarding the metal wall.

Councilmember Bowcutt commented that he would rather see the metal fence than a chain link fence.

Councilmember Hughes mentioned that this is the entrance to the City.

Councilmember Baca asked if the Council can require a block wall as this is a PD.

Mayor Pike replied yes.

Mr. Pope addressed the Redwood Ash concerns and stated that he is in favor of them.

Mayor Pike asked staff to work out the tree issues.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

Councilmember Hughes noted that some neighbors wanted the property to be residential rather than commercial; however, he does not feel it should be zoned residential. He is concerned with aesthetics, as that is what the neighbors are concerned with.

Councilmember Baca asked to hear from the applicant to see if he is willing to install a block wall around the entire facility.

Mr. Pope suggested having a block wall on the end fence and metal along the freeway since most people that will see the fence going out of town, not into it. He explained that the power pole will be cut at a 2:1 slope and the detention basin should not affect the pole.

MOTION: A motion was made by Councilmember Hughes to approve the zone change from Open Space to Planned Development Commercial on approximately 10.43 acres and to approve the layout landscaping and site plan as presented with conditions of the Planning Commission, with the exception of #6; requiring a block wall if there is one to be built.

Councilmember Baca clarified that as presented, the block wall will be along the frontage with the addition of the applicant indicating that they will have a block wall on the north and south end and have the metal wall along the freeway.

Mayor Pike explained that is what the applicant proposes; however, Councilmember Hughes' motion is to have a block around the entire property.

SECOND: The motion was seconded by Councilmember Baca.

City Attorney Shawn Guzman clarified that the motion was to have a block wall along the north and south ends and along the frontage of Pioneer Road. If the applicant chooses to put anything along the freeway, it needs to be a block wall.

Councilmember Hughes agreed.

Councilmember Bowcutt asked if they could go without a fence along the freeway.

City Attorney Shawn Guzman stated that the fence being discussed in the motion is just the fence along the freeway.

Councilmember Hughes replied yes.

Councilmembers Bowcutt and Arial commented that the applicant should be able to put in the wall they want to.

City Attorney Shawn Guzman asked Councilmember Bowcutt to clarify that his concern is with the block wall along the freeway frontage.

Councilmember Bowcutt replied yes.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – nay

Councilmember Arial - aye
Councilmember Baca - aye

The motion carried.

SET PUBLIC HEARINGS:

Planner Ray Snyder stated that at their meeting held on April 12, 2016, the Planning Commission recommended setting public hearings on May 5, 2016 to consider: A) amending Title 10, Chapter 8 to add Traditional Neighborhood Zone within the zoning ordinance; B) a zone change amendment for a Master Sign Plan for the Boulder Creek Commons and Boulder Creek Crossing commercial center sites generally located at the intersection of 1450 South Street and River Road; C) a amendment to the Planned Development Commercial zone to develop the Steven Henager College on the property located on River Road adjacent to Bundy Lane; D) a request to amend the Planed Development Commercial zone to develop the Restaurants Building on property located on River Road adjacent to 1450 South Street; E) a zone change amendment for the Inn of Entrada Planned Development, lots 1-23 and Shinava Ridge Planned Development, lots 24-39 to allow lockout short term rentals in compliance with City code 10-14-20. The properties are located at 2588 West Sinagua Trail and 2549 West Sinagua Trail; F) a zone change on 89.139 acres from Agricultural to R-1-10 and on 17.339 acres from Agricultural to R-1-12 on property generally located on the southwest corner of the intersection of Seegmiller Drive and 3000 East; G) a zone change on 34.359 acres from Agricultural to R-1-10 and on 31.890 acres from Agricultural to R-1-8 and on 38.937 acres from Agricultural to Open Space. All properties are generally located east of 3000 East Street; and H) a zone change on 20.00 acres from Agricultural to R-1-8 located at approximately 3200 East and 2840 South.

Councilmember Bowcutt requested the public hearings be split; he suggested setting the hearings for items A-D at one meeting and the others at the following meeting.

MOTION: A motion was made by Councilmember Bowcutt to set the public hearings for items A - D for May 5 and the other four items for the meeting on May 19.

SECOND: The motion was seconded by Councilmember Baca.

A discussion took place regarding which items to set for May 5 and which to set at a later meeting.

AMENDED

MOTION: Councilmember Bowcutt amended his motion, setting the public hearings for items B, C, D, and F on May 5 and the others for the meeting on May 19.

SECOND: The motion was seconded by Councilmember Baca.

VOTE: Mayor Pike called for vote, as follows:

Councilmember Hughes - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye
Councilmember Baca - aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval conditional use permit to construct a five story hotel with a height of 66'. PEG Development, applicant.

Planner Ray Snyder presented the request for a conditional use permit to construct a five story hotel at the Confluence Commercial Center located to the west of 270 East Street and generally bounded by 1670 South Street to the north and 120 East to the west; zoning is C3. He presented a PowerPoint presentation covering the following: Photo of the proposed Hyatt Place Hotel; summary of the request; final plat; summary of the dimensions, amount of rooms, height; site plan; and elevation.

MOTION: A motion was made by Councilmember Arial to approve the conditional use permit to construct a five story hotel with a height of 66'.

SECOND: The motion was seconded by Councilmember Baca.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Redwood Estates Phase 6, a 5-lot residential subdivision located at approximately 3200 East 3100 South; zoning is R-1-8. He showed and reviewed the preliminary plat.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Redwood Estates Phase 6.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Riverside Cliffs Phase 3, a 13-lot residential subdivision located at approximately 1250 South 1800 East; zoning is R-1-8. He showed and reviewed the preliminary plat. This item went to Hillside Review Board about 10-12 years ago. There was an issue with the ridgeline and protecting it. Because of this issue, the recommendation is to have a 35' setback from the ridgeline rather than the 30'. The applicant would like to return to Hillside Review Board to discuss building on the lots along the ridgeline.

Councilmember Bowcutt commented that will be a challenge when they come back for approval.

Councilmember Hughes mentioned that once this preliminary plat is approved and they build what is currently proposed, it will limit their options.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Riverside Cliffs Phase 3.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from meeting held on March 3, 2016.

Consider approval of the minutes from meeting held on March 17, 2016.

Consider approval of the minutes from meeting held on April 7, 2016.

Consider approval of the minutes from meeting held on April 14, 2016.

MOTION: A motion was made by Councilmember Arial to approve the minutes.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

REPORTS FROM MAYOR, COUNCILMEMBER AND CITY MANAGER:

Mayor Pike mentioned that YESCO contacted him and City Attorney Shawn Guzman regarding one of their signs near the Honda dealership.

City Attorney Shawn Guzman explained that their first proposal was double side the sign. It is low to the ground and has a face on the southbound direction. Currently, there is a YESCO billboard which is partially blocked on the southbound lanes of I15 near the condominium project and the Bloomington exit. They propose to remove that double sided billboard in exchange for raising the billboard near the Honda dealership, making it double sided. Their proposal was to raise the sign to 80' because they feel it needs to clear the obstruction with the power lines; he did not agree. After he and Mayor Pike met with their representatives, they returned with a second proposal which is to raise the sign to 65'. Mayor Pike was concerned with the height; therefore they lowered it to just below 60'. The other billboards going towards Washington City are between 55' – 57' tall. YESCO has agreed to paint the pole and any existing billboard poles a color in line with the City's color palettes. He explained that they will do an a-frame sign with a shield on the back. An electronic reader board was discussed – that would have to be part of the conditions of the Council.

Councilmember Bowcutt commented that it worries him that everyone wants a reader sign.

City Attorney Shawn Guzman added that this location is visible from Twin Lakes subdivision and the Bloomington neighborhood that is why they were concerned with the height. He can go back to YESCO with further suggestions.

Councilmember Arial stated she doesn't mind signs or reader boards; however, she is concerned with height.

City Attorney Shawn stated that he believes this is a good compromise. They have not requested a reader board. He will sit down with Mr. Snyder and review the ordinance to see if a reader board would be prohibited in that area.

The consensus of the Council is to have City Attorney Shawn Guzman review the radius and move forward with the request.

Mayor Pike read a letter from Tanner Emerson, a scout who would like to repaint "Green Valley" on the hill in the Green Valley area and clean up the surrounding area.

The consensus of the Council is to allow Tanner to move forward and to supply the needed materials up to \$200.

Support Services Director Marc Mortensen mentioned the City employee clean up is taking place tomorrow on Red Hills Parkway in preparation of the Ironman event.

Councilmember Baca reported he attended the first Air Quality Board meeting; it was quite interesting to see how important air quality is in the City. He mentioned the grand opening taking place at the Dinosaur Museum on Friday, May 6 at 6:00 p.m.

Mayor Pike mentioned that May 7th is Ironman weekend. Support Services Director Marc Mortensen will provide the Council with details in the near future.

ADJOURN:

MOTION: A motion was made by Councilmember Arial to adjourn.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.